

EXHIBIT 2

1 A. Not at this time anymore.

2 Q. Have you signed an engagement
3 letter with any lawyers in connection with this
4 case?

5 A. Not to my recollection.

6 Exhibit 23 was marked for
7 identification by the reporter.)

8 Q. (BY MR. SIMSHAUSER)

9 Mr. Kalbfleisch, showing you what's been marked
10 Exhibit 23. This is the rule 26.2 B
11 certification that has your name at the bottom.
12 Is that your signature sir?

13 A. Correct.

14 Q. When did you sign this document?

15 A. I do not remember.

16 Q. What's your best recollection as to
17 the year in which you signed this document?

18 A. I do not remember.

19 Q. Was it 2007? Was it this year or
20 some year before 2007?

21 A. Before 2007, I know that.

22 Q. You heard -- you heard Mr. Vaughn
23 say this morning that he thought he signed the
24 basically same document in 2005. Do you remember
25 Mr. Vaughn saying that?

1 A. Yes, I do.

2 Q. Is that consistent with your
3 recollection that this could have been 2005 when
4 you signed this document?

5 A. I do not, I do not remember.

6 Q. Is there any -- is there any
7 document or other material to which you could
8 refer that would assist you in recalling when you
9 signed this document?

10 A. Not that I know of.

11 Q. Have you ever previously seen a
12 legal document of any sort that's undated?

13 A. I haven't been into too many legal
14 documents.

15 Q. Have you ever seen any legal
16 document of any kind that's not dated?

17 A. There again, I have never been in
18 any legal situation.

19 Q. This is a document that was drafted
20 for you by your attorneys, correct?

21 A. Evidently.

22 Q. You didn't write these words the
23 attorneys did correct?

24 A. Correct.

25 Q. In the first sentence there it says

1 that you have discussed the scope of discovery in
2 this action. Do you see that?

3 A. Yes, I do.

4 Q. What is that referring to?

5 A. There again, I relied on the
6 attorneys to take care of the legal part of this.

7 Q. Do you know what discovery is in a
8 lawsuit?

9 A. No, I don't.

10 Q. And in the second sentence, it says
11 that you consent to any effort by your counsel to
12 seek discovery events that exceed the presumptive
13 limits set forth in certain rules. Do you see
14 that?

15 A. Correct.

16 Q. Do you know what discovery events
17 means in that context?

18 A. No, I don't.

19 Q. Do you know how many depositions
20 your attorneys have taken in this case?

21 A. No, I do not.

22 Q. Do you know how many they're
23 seeking to take?

24 A. No, I do not.

25 Q. Do you know whether they're going

1 to go into Federal court in Boston next week and
2 try the take more depositions?

3 A. That, I do not.

4 Q. Do you know who the judge is in
5 this case?

6 A. I do not.

7 Q. Now, at the time you called the 800
8 number in the newspaper advertisement that you
9 saw you say that you were concerned about the
10 performance of your Putnam mutual funds; is that
11 right?

12 A. I was curious of what the ad meant
13 to the Putnam fund at that time, yes.

14 Q. At, at the time, did you have any
15 concerns or questions about your Putnam funds
16 other than things relating to performance?

17 A. No, I did not.

18 Q. And is part of the reason that
19 you've brought this lawsuit related to your
20 concerns about the performance of the Putnam
21 funds that you own?

22 A. The -- could you repeat that
23 question, please.

24 Q. You told me a moment ago that the
25 reason you called the 800 number you saw in the